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PATENT
Atty. Docket No. BSC-035CN (4002/58)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Gellman *et al.* CONFIRMATION NO.: 9128

SERIAL NUMBER: 09/579,909 ART UNIT: 3731

FILING DATE: May 26, 2000 EXAMINER: Ho, U.

TITLE: Bone Anchors for Bone Anchor Implantation Device

CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence, and any document(s) referred to as enclosed herein, is/are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to, Non-Fee Amendment, Commissioner for Patents, Washington, DC 20231 on this 24th day of April, 2002.

Diane Racicot
Diane Racicot

Non-Fee Amendment
Commissioner for Patents
Washington, D.C. 20231

Sir:

Submitted herewith are:

1. Transmittal Form (1 pg.);
2. Amendment and Response (5 pgs.);
3. and this return receipt postcard

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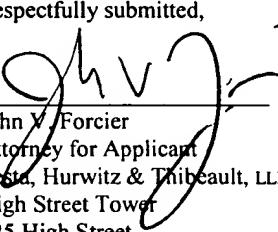
**TRANSMITTAL
FORM**

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 TRANSMITTAL FORM	Application Serial Number	09/579,909
	Filing Date	May 26, 2000
	First Named Inventor	Gellman
	Group Art Unit	3731
	Examiner Name	Ho, U.
	Attorney Docket No.	BSC-035CN

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Check Attached <input type="checkbox"/> Copy of Fee Transmittal Form	<input type="checkbox"/> Copy of Notice to File Missing Parts of Application (PTO-1553) <input type="checkbox"/> Formal Drawing(s) <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) <input type="checkbox"/> Power of Attorney (Revocation of Prior Powers) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Copy of Executed Declaration for Utility or Design Patent Application <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund <input type="checkbox"/> After Allowance Communication to Group	<input type="checkbox"/> Appeal Communication to Board of Patent Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Status Inquiry <input checked="" type="checkbox"/> Return Receipt Postcard <input checked="" type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8 <input type="checkbox"/> Additional Enclosure(s) (please identify below)
<input checked="" type="checkbox"/> Amendment and Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets _____]		<small>3 C 1 ROOM</small>
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<input type="checkbox"/> Information Disclosure Statement Form PTO-1449 <input type="checkbox"/> Copies of IDS Citations		
<input type="checkbox"/> Certified Copy of Priority Document(s)		
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		

CORRESPONDENCE ADDRESS	SIGNATURE BLOCK
Direct all correspondence to: Patent Administrator Testa, Hurwitz & Thibeault, LLP High Street Tower 125 High Street Boston, MA 02110 Tel. No.: (617) 248-7000 Fax No.: (617) 248-7100	Respectfully submitted,  John V. Forcier Attorney for Applicant Testa, Hurwitz & Thibeault, LLP High Street Tower 125 High Street Boston, MA 02110

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5/10/02
PATENT

Atty. Docket No. BSC-035CN (1002/58)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Gellman *et al.* CONFIRMATION NO.: 9128

SERIAL NUMBER: 09/579,909 ART UNIT: 3731

FILING DATE: May 26, 2000 EXAMINER: Ho, U.

TITLE: Bone Anchors for Bone Anchor Implantation Device

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AMENDMENT and RESPONSE

This paper is submitted in response to a pending Office Action, Paper No. 5, mailed from the U.S. Patent and Trademark Office on January 24, 2002. Please make the following changes, without prejudice, and consider the following remarks.

Applicants believe that no fees are due; however, should fees and extensions of time be required for responding, please consider this paper to be a conditional petition for the required extension of time and conditional authorization to charge deposit account number 20-0531.

In the Claims:

Please cancel claim 14, add new claim 16, and amend claims 10-13 and 15 to read as follows. In accordance with 37 C.F.R. § 1.121(c), a marked up version of the claim amendments is attached at the end of this Amendment and Response.

B1

10. (Amended) A bone anchor for use with a bone anchor implantation device comprising:
a generally cone-shaped head having a wide end, a narrow end, and at least two cutting edges wherein said cutting edges come together to form a pointed tip at the narrow end and the cutting edges of the head are defined by at least one curved surface; and
a collar member coupled to the head.